

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 SHAWN MICHAEL BALL,

4 Plaintiff

5 v.

6 COUNTY OF CLARK, et al.,

7 Defendants

Case No.: 2:24-cv-01352-APG-NJK

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 14]

8 On January 23, 2025, Magistrate Judge Koppe recommended that I dismiss Shawn Ball's
9 second amended complaint without prejudice because Ball has previously been given
10 opportunities to amend and was unable to do so in a way that stated a viable claim under 42
11 U.S.C. § 1983. ECF No. 14. Ball did not object. Thus, I am not obligated to conduct a de novo
12 review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to
13 "make a de novo determination of those portions of the report or specified proposed findings to
14 which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
15 (en banc) ("the district judge must review the magistrate judge's findings and recommendations
16 de novo *if objection is made*, but not otherwise" (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Koppe's report and recommendation
18 (ECF No. 14) is accepted. Shawn Ball's second amended complaint (ECF No. 13) is dismissed
19 without prejudice, but without leave to amend it again in this case. The clerk of court is
20 instructed to close this case.

21 DATED this 11th day of February, 2025.

22 

23 ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE